

## DEVELOPMENT ADVISORY COMMITTEE MINUTES

The Development Advisory Committee (DAC) met on December 7, 2016 at 9:00 a.m. in the First Floor Conference Room, 220 S. Main Street, Bel Air, Maryland. The meeting was chaired by Moe Davenport, Department of Planning and Zoning.

The following members were in attendance:

Moe Davenport	Chairman, DAC
Bill Snyder	Volunteer Fire & EMS
Robin Wales	Department of Emergency Services
Patrick Jones	Soil Conservation District
Len Walinski	Harford County Health Department
Darryl Ivins	Water & Sewer
Mike Rist	DPW Engineering
Ras Cannady	Planner, Development Review

Also in attendance were:

Paul Thompson	Larry Davis
Anna Marie Murphy	Brian Hill
Rusty Creswell	Ms. Marble
Matthew Falk	Catherine Hooker
Erika Falk	Dawn DuRette
Stephen Smith	Brian Young
Jeannette Stancill	David Mueller
David Stancill	Susan Tobin
Maureen Repp	David Taylor
Mark Moore	Karen Kennedy-Butler
Becky Moore	Becky Betzko
Dolcey Hill	Joe Heeke
Barb Moore	
David Taylor	Lee Tessier

Moe Davenport, of the Department of Planning and Zoning, welcomed everyone to the meeting. He explained there is one plan on the agenda. Mr. Davenport explained that a brief presentation will be given by the consultant for the project. The DAC members will give their comments on the project. The meeting will then be opened up for anyone in attendance that may have questions or comments. If anyone has questions that are not answered, there are information request forms that can be filled out and submitted to the Department of Planning and Zoning and they will be responded to in writing. There is an attendance sheet circulating for everyone to sign. If a correct address is given, a copy of the minutes will be mailed or e-mailed. The minutes are recorded and will also be published to the Department of Planning and Zoning's website.

**1001 SOUTH EMMORTON ROAD**

Located on the southeastern intersection of Wakely Terrace Rd & Emmorton Rd (Route 924). Tax Map 49; Parcel 71. Third Election District. Council District C. Planner Ras.

Plan No. S701-2016 Construct 9,660 sf commercial office bldg./0.99 acres/RO.

Received 10-31-16 1001 Emmorton Rd LLC/David G. Taylor & Associates, LLC

**Verbatim Transcript**

**David Taylor with David G. Taylor & Associates, LLC presented the plan:**

We are here to present the site plan for 1001 South Emmorton Road which is a proposed office building, one story. It does have a small lower level storage area. This property is zoned RO which is Residential Office. So, we are proposing an office. It is located at the corner of Wakely Terrace and Emmorton Road. There is an alley in the back which is 10' wide. A 10' paved alley. The way alley's are treated we will actually convey the right of way, the half of the right of way that crosses this property towards the alley. Then there is also a five foot separation from that property line to the parking lot in which we are going to plant some landscaping to sort of buffer the parking lot from the alley way. We are not in any way tying into the alley. It will remain as it is. We are not affecting the entrance. We do have stormwater facilities in the front along Emmorton Road and in the back these are very shallow, micro bio retention facilities which will be planted with some attractive shrubs and grasses. They also provide ten year quantity control management as far as it's discharge. That is basically the main points. Public sewer is served from the back and Maryland American Water is serving the front. We do have a traffic exemption letter as this use is not an intensive use. It generates less than 249 average daily trips. It is not intended to be something that has a lot of traffic driving in and out all day long. It is exempt from the traffic study. That is it. If there are any questions, I will try to answer them.

**Moe Davenport** - Do you have a user for the office or is it leased?

**David Taylor** - Yes, Lee Tessier is the owner of 1001 South Emmorton Road, LLC. He is sitting here.

**Lee Tessier** – It is a real estate company

**Moe Davenport** – Real estate offices.

**Lee Tessier** – Residential real estate.

**Moe Davenport** – Ok, thank you.

**Bill Snyder – Volunteer Fire and EMS**

- Building with an automatic sprinkler system or a supervised, automatic fire detection system, shall have a Knox Box installed per NFPA 1, Part III, 3-6. It shall be keyed for the Bel Air Fire Company: 410-638-4401.
- Recommend the usage of non-combustible landscaping directly next to the buildings. Traditional, wooden-mulch increases likelihood of nuisance fires from outdoor smoking.

**Robin Wales – Department of Emergency Services**

The name of this plan must be changed to 1001 Emmorton Road. There is not a South Emmorton Road in Harford County. There is however an Emmorton Road South (MD24), which is on Emmorton Road after your cross over I-95. This will prevent future problems.

The proposed building must display 8" – 10" address numbers and letters. The address must be clearly visible from Emmorton Road (MD 924).

Public safety wireless radio communications inside a building is essential to the safety of those occupying the structure as well as fire, law enforcement and emergency medical providers responding to a call for help. Buildings that are greater than 5,000 square feet, higher than 50 feet, contain underground storage or parking and are constructed of materials that impede wireless radio signals that may adversely affect the response of public safety providers. Please consider including wiring, electrical connections and other infrastructure that may be needed for an in-building 800 MHz amplifier. Department of Emergency Services will test coverage in your facility once construction is finished. Call 510.638.4900 for this assistance."

Emergency Services must have a list of 3 (three) emergency contacts for notification, response, and securing purposes if the facility is not 24-7.

**Patrick Jones – Soil Conservation District**

Concept SWM plans have been submitted and reviewed.

An adequate sediment and erosion control plan needs to be approved before a grading permit can be issued. The sediment and erosion control plan must be integrated with the SWM strategy at the design phase. The new 2011 Maryland Standard and Specifications for Soil Erosion and Sediment Control must be utilized.

Attached is information pertaining to the fee system for the review of sediment and erosion control plans. Please contact Bill Tharpe, 410.838.6181 x3, with questions about this information.

This fee will be collected prior to the review of the site development plan.

**Len Walinski – Harford County Health Department**

The Harford County Health Department (HCHD) has extended its approval for the above-referenced site plan. The site is located on the southeastern intersection of Wakely Terrace Road and Emmorton Road (MD Route 924).

This plan proposes to construct a 9,660 sq. ft. commercial office building. The site is serviced by public water and sewer.

This office has the following comments regarding the project:

- Prior to approval of the building permit, a demolition permit that is secured through the Department of Planning and Zoning for the razing of the existing building will be required. All aspects of the demolition work must be reviewed, approved, and completed to the satisfaction to the HCHD. This includes but is not limited to the abandonment of any wells and septic systems, the management of asbestos, hazardous materials, and solid wastes, and the removal of underground storage tanks. All documentation concerning the demolition work must be forwarded to this office. If there are any questions concerning the demolition work, please contact Mr. Joe Delizia of the HCHD's Air/Waste Division at 410-877-2335.
- If the office/commercial building is occupied by dental/medical offices, certain permits and registrations may be required from the Maryland Department of the Environment (MDE).
  - a) Facilities that generate medical waste require that the facility choose a licensed medical waste hauler and that the waste hauler obtain an EPA identification number for that particular facility. If there are any questions regarding the EPA identification number, the facility should contact the MDE Hazardous Waste Program at 410-537-3356.
  - b) Facilities that conduct X-rays are required by MDE Air and Radiation Management Administration to be registered. If there are any questions regarding this registration, the facility should contact the Radiological Health Program at 410-537-3193.
- The owner/developer is reminded that during the development of this project when soil moisture conditions are low, measures must be implemented to prevent the generation of dust until a permanent vegetative cover is established and all paving is completed.

Additional comments from this office may be provided at the time of the building permit or tenant/occupancy permit. It is the responsibility of the owner/operator to be aware of any regulatory requirements for the proposed use and for obtaining appropriate permits

**Darryl Ivins – Water & Sewer**

New Series Required:            Yes ☐            No ☒

If another series of this plan is submitted, then the Division of Water and Sewer would like an opportunity to comment on that series.

**Check for Adequate Public Facilities**

Water	<input type="checkbox"/> adequate	<input type="checkbox"/> inadequate (see comments)
Sewer	<input checked="" type="checkbox"/> adequate	<input type="checkbox"/> inadequate

Water service for this project will be provided by the Maryland American Water System. Documentation must be provided by the Maryland American Water Company to the Division of Water and Sewer that verifies that the requirements of the Adequate Public Facilities Ordinance are met. The documentation must be reviewed and approved by the Division of Water and Sewer before a recommendation for Site Plan approval may be given.

A building permit may be approved by the Division of Water and Sewer after the following conditions have been met:

1. The Maryland American Water Company (MAWC) has paid the capital water charges for the part of the project for which a permit is sought.
2. The requested number of Equivalent Dwelling Units (EDU's) is available from the MAWC at the time of building permit application.

The utility drawings submitted with the Commercial Application must show and describe in detail the method of abandoning the existing sewer service. They must also describe the method by which the contractor shall core the existing manhole for the new service, including the proposed service elevation and instruction to re-channel the existing manhole.

Any sewer cleanouts that are located within the paved area shall be installed using the County cleanout in paving detail S-28. The detail shall be shown on the utility plan and referenced on the plan and/or profile drawing.

The Commercial Service Application Number 19906 must be added to the title block of the site plan submitted with the Application for approval.

The construction contract numbers for the existing utilities shall be shown on the drawing submitted with the Commercial Application.

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A Commercial Service Application for sewer service must be completed by the owner and approved by Harford County before a building permit will be issued for this project. Contact the Division of Water and Sewer Administration and Permitting Section at 410-638-3300 for additional information.

Trees may not be placed within the drainage and utility easements or the SHA road right-of-way within fifteen feet (15') of existing or proposed utilities. The Division of Water and Sewer must have an opportunity to review the landscaping plan before it is approved by the Department of Planning and Zoning, to verify that this condition has been met. Approval of the Commercial Application for this project will not be granted until the landscaping plan is acceptable to the Division of Water and Sewer.

**Mike Rist – DPW Engineering**

The following comments are offered by the Bureau of Stormwater Management on the subdivision plan submitted:

NEW SERIES REQUIRED – YES

**PROJECT – 1001 South Emmorton Road – S701-2016**

1. A sediment control plan and a grading permit will be required for the development of this site. Sediment controls are to be designed to the specifications as set forth in the Maryland Standards for Erosion and Sediment Control, latest edition.
2. Stormwater Management must be provided in accordance with the 2000 Design Manual as amended by Supplement 1.
3. A stormwater management concept plan has been submitted for review and must be approved prior to preliminary plan approval. Comments must be addressed on subsequent stormwater plan submittals.
4. A suitable outfall must be provided for the stormwater management facility and shall be approved at the time of final design.
5. The final stormwater management plan shall be approved prior to the issuance of a grading permit. A stormwater management permit is required prior to the issuance of a building permit.
6. Maintenance of the regional stormwater management facility (facilities) is (are) the responsibility of the lot owner(s).

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7. A commercial access permit is required for this site for the entrance onto Wakely Terrace Road.
8. The entrance width shall be 30' with a 30' westerly curb radius and a 25' easterly curb radius. The road shall be widened to 18' from the centerline, between the entrance to Rte. 924.
9. Sidewalks shall be constructed along the property frontage.
10. All pavement striping and traffic control signs shall conform to the Manual on Uniform Traffic Control Devices and State Highway Administration Supplement.
11. A 30' right-of-way dedication is required from the centerline of Wakely Terrace Road if the property is to be replatted.

**Ras Cannady – Planner**

1. The proposed site is zoned RO (Residential Office District) and totals approximately 0.99 acres.
2. This plan proposes to construct a 9,660 square foot commercial office building.
3. A Landscaping and Lighting plan (L702-2016) was submitted for review by the Department of Planning and Zoning. Approval shall be required prior to site plan approval and issuance of any building permits. The Department shall require shrubs (LM, PV) to be container grown in no less than 3 gallon containers, as indicated in Section 267-29F(2). Prior to approval of the submitted landscape plan, the owner/developer certification shall be signed by the consultant.
4. Lighting shall be designed and controlled so that any light shall be shaded, shielded, or directed so that the light intensity or brightness does not adversely affect the adjacent property. A photometric plan shall delineate the prevention of spillover light onto the adjacent property.
5. A Forest Stand Delineation/Forest Conservation Plan combination (FSD/FCP 700-2016) has been approved by the Department of Planning and Zoning. There is currently no forest on the site.
6. All buildings to be razed will required that all applicable demolition permits be obtained from the Department of Planning and Zoning and Harford County Health Department.

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7. All proposed signage shall conform to the Sign Code and will require permits from the Department of Planning and Zoning. Signs shall not be placed within the County or SHA right-of-way.
8. An elevation drawing of site elevations shall be submitted to the Department of Planning and Zoning pursuant to Section 267-85(1) of the Harford County Zoning Code.
9. Frontage improvements shall be required around Wakely Terrace. Proposed curbs shall tie in with existing curbs spanning from State Highway 924 to Wakely Terrace. The applicant shall provide new sidewalks along all county frontages.

**Moe Davenport for Rich Zeller – State Highway Administration**

The utility work within the State right of way and any tie ins to the stormwater management system there will require permits through the State Highway Administration. A separate utility permit for the water connection taking place within the right of way will also require permits. Contact Rich Zeller, State Highway Administration regarding comments of his letter.

**Public Comments –**

**Susan Tobin** – 929 South Main Street. I am on the adjacent corner. I have lived there for over 50 years. I'm probably the longest standing member of this community. I thought I just heard you say you are going to widen Wakely Terrace. The entrance into Wakely Terrace.

**Mike Rist** - They are going to put in an entrance on Wakely Terrace and as part of that they are going to widen right along their frontage there. Not on your side.

**Susan Tobin** - I'm concerned about this corner because I know a lot of that is, although it looks to be my property it's right of way so, I'm concerned about cars practically being in my living room. I lost all of my big white pines that gave privacy to the house when you all put in the sidewalks. I'm concerned about noise, light pollution and night light pollution which by your covers will create night light pollution as there has been in the past. I am happy to hear that it is only going one story. Is that correct?

**David Taylor** – That is correct.

**Susan Tobin** – What will the structure be made of?

**David Taylor** – We have a rendering here.

**Susan Tobin** – And, we are looking from Wakely Terrace?



**Paul Thompson** – No, we are looking from Emmorton Road.

**Moe Davenport** – This is Paul Thompson, he is architect on the project.

**Paul Thompson** – So, what we are trying to do is create a linear base along Emmorton Road with masonry.

**Crowd** – Is that one story?

**Paul Thompson** – It is one story with dormers and the roof line. We wanted to be sensitive to maintain that sort of feel along the roadway. We didn't want to come up with a two story building. We can under the code, but we didn't want to do that, we wanted to be sensitive to the community. If you see the site plan kind of chops off the corner here so there is visibility for turning radius onto Emmorton Road. So, we have emulated that angle in the building so we can have some presence for a real estate firm with potential signage that would have to be permitted. We've created dormers along that connection to break up that roof line a little bit. And, we have created sort of chimneys along the rooftop in an effort to consolidate some of our venting for plumbing and that sort of thing so it's not scattered all over the roof. Then trying to create a visual element in the center which is in keeping with some of the colonials aspects like some of the colonials Clark Turner developed and other buildings along that streetscape. With that this is a hardy plank siding which is cement based so it's not like wood where it needs to be painted all the time. It comes prefinished. It will be well maintained over the lifetime of the building. Are there any specific architectural questions that I can answer?

**Steve Smith** – Yes, I've got one. You say it is a one story building but by appearance whether there is living area upstairs or not it's still a two story building just by looking at it.

**Paul Thompson** – Well, there are many cape cods along that area that are considered 1 ½ stories. Right now we are not proposing any inhabitable space on the upper level. These are basically light wells that allow natural lighting into the lower level of the space.

**Steve Smith** – I understand that but by appearance its two stories whether you say it's living area or not, it's still two stories.

**Paul Thompson** – That's your opinion. What we are proposing here is a one story building.

**Crowd** – How tall is that building?

**Paul Thompson** – That is still in the process of design. We are going to be somewhere in the neighborhood of 9' ceiling heights on the first floor. We might be in the 22' high range to the ridge.

**Dolcey Hill** – Is there a standard code requirement on what constitutes a one story vs what constitutes a two story?

**Moe Davenport** – Yes, the second story can't be operational. They can't have offices up there or residences up there. It's a one story structure the way it is shown here. I have not seen the architectural plans but we can't approve more square footage on the 2<sup>nd</sup> floor because it would need over 6 feet for clearing.

**Paul Thompson** - If I may, the zoning code in this zone RO district does allow two story buildings. So, again we were trying to be sensitive not to have a two story feel. I mean we could have consolidated the building into a smaller foot print and gone up but I think it would not have been in keeping with the community. We were trying to be sensitive to that fact.

**Jeannette Stancill** – Can you just clarify for everyone the building length which we are looking at is that 190 feet in the front and 224 in the back? Would that be accurate?

**Paul Thompson** – Correct.

**Jeannette Stancill** – So that is what we are seeing right now, basically?

**Paul Thompson** – That is correct.

**Jeannette Stancill** - My understanding also is there is a bump out to break up this building so it doesn't look like ¾'s of a football field.

**Paul Thompson** – Corect

**Jeannette Stancill** – That bump out. How wide is that bump out?

**Paul Thompson** – It's roughly 22 feet.

**Jeannette Stancill** - Oh, ok that's all that is 22. Is that the final plan? Will we be able to take a look at that?

**Paul Thompson** - Again, some of the architecture is still being developed. Typically my clients don't want to go too far ahead before we get input from the community.

**Jeannette Stancill** – Fair enough.

**Paul Thompson** – If there are some serious concerns we try to address those before we would submit the plans.

**Joe Heeke** – I live at 210 Wakely Terrace. My biggest concern is your entrance on Wakely Terrace. We don't have commercial traffic. By bringing commercial traffic into Wakely Terrace you are significantly altering the neighborhood. Why can't you put the entrance off of Emmorton Road? Why can't you widen that and put your entrance there?

**Paul Thompson** – The current driveway is actually too close to the proximity of your street.

**Joe Heeke** – How many feet do you have?

**Paul Thompson** – Across the whole frontage..... 200 plus. But there is also an entrance here and the entrance along here between the two gives us a challenge for State Highways.

**Joe Heeke** – Lots of company's put in large retaining walls to accommodate that elevation and I don't see why you can't do it to help us on Wakely Terrace from changing it from totally residential traffic to commercial.

**Dolcey Hill** – And there is already an existing driveway from Emmorton Road and yet it has to have an Emmorton Road address. Currently a few years back we tried to get speed bumps because people like to use Wakely Terrace as a thru way to get to Ring Factory and the speed was awful. Right now we have to wait for an invitation to get on Wakely Terrace. And during rush hour traffic it is impossible. We have residents on Wakely Terrace that go around to Victory to get out during rush hour traffic. If you have an Emmorton address for me and it sounds like for Joe and most of us we want you to have an Emmorton driveway.

**Ms. Marble** - We have kids there that are deaf. We have a sign there. A deaf kid so you know.

**Mark Moore** – I live at 101 Wakely Terrace, right next door to my neighbor here and I'm right across from the driveway that you are going to propose is right across from my driveway. Now, I've been in law enforcement for 30 years just to let you know I have an idea of traffic patterns and such. And, since I have lived there we have had dozens of car accidents right at Wakely Terrace and 924. We experience people pulling over to use their cell phone right next to your entrance like Dolcey Hill said. We experience car accidents and they leave the cars there until they can be towed. We experience a high volume of traffic already with people turning around in my driveway and I'm concerned people are going to be doing the same with more frequency because your entrance is on Wakely Terrace which is a residential neighborhood which we would like to maintain. We are also concerned about the light. We don't want more light in our neighborhood. We want less traffic, less light and a peaceful place to live. But, my experience is this is going to change that. I also don't know what type of landscaping you are going to do to shield your light from your property to our properties. Because I don't see it in there. I see some small shrubbery and I see a large sign that I will be looking at out of my bedroom window for the next.

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**Paul Thompson** – You won't see that sign.

**Mark Moore** – So, what kind of trees...

**Paul Thompson** – So, this is along Emmorton Road, that is this wall here. So you wouldn't see it from your...

**Mark Moore** – But, my main concern is the traffic.

**Paul Thompson** – Understood.

**Mark Moore** – And, if they do a traffic study which you said you do not have to do because of the traffic volume you will find that there is a high incidence of accidents right there already.

**Paul Thompson** – We are proposing landscaping across the back between our parking and the alley.

**Mark Moore** – How big are the trees?

**Paul Thompson** – Let me get back. The photometric plan I believe David, was submitted to the county.

**David Taylor** – Yes

**Paul Thompson** – So, we have to use products and have had to for decades already where the lighting will not filter into the community. It has cut offs or shielding so that it only puts the light down on the surface where we want it to. It is designed that way.

**Mark Moore** – I appreciate that and I understand that you legally can do many things but to us we are looking at this and it is huge. It's a two story building for those of us who are not architects. For layman like ourselves we are looking at this and thinking that is going to just change the whole nature and theme of our neighborhood into a commercial area. Which really we would prefer not to have.

**Paul Thompson** – We are very sensitive to that and I know that...

**Mark Moore** – I don't know that you are.

**Paul Thompson** – Lee wants to be a good neighbor.

**Mark Moore** – Then don't build it that big.

**Moe Davenport** – Let me step in here a little bit. If we have more questions for the architect we can make sure he will have time to answer them. The rest are kind of driven towards us I think. Let me clarify a couple of things. The RO zone, the residential office zone is a transitional zone between the residents that are here today and more high intensity. So, what we have done is recognize that individuals have lived on roads like Emmorton Road, 543, Fountain Green Road or 22 and that the traffic and intensity has been increased so significantly that developing them residentially is difficult. So, we created this zone it is called residential office to try to create a transition between commercial properties and residential properties between your neighborhood. And, the code specifies specific conditions which we didn't get into but many of you have heard or read that the Director will have to review the architecture on this. We do like the fact that it has dormers and it has a pitched roof. If you had a larger massing with the two story and a flat roof that would have a commercial look to it. It would have a greater mass. We have some concerns. We've only had one day to look at the architectures that came in yesterday. So, we really have not had time to review or comment on them but we will with the architect as he said these are schematic designs and he is reluctant to go to final design before we get to look at them. Our other concerns are traffic and lighting too. We didn't put our comments out there. We want to hear your comments and will then report to the Director. Lighting is a concern here David and Paul and Lee. I think it is over a little too much. I know that you have those cans on them but the light is not going to spill on to the grass or their lawn by the photometric but they will still see those cans. Maybe we can discuss with you about whether they need to stay on, do you have safety lights at night, your hours of operation and so forth and so on?

**Ms. Marble** – 225 Wakely Terrace. You say you are going to look into it right? That's fine but when I had an episode with a school thing and they said they were going to look into things and they never did. So, are you guys really going to look into it or are you like the school board people who say they are going to look into it?

**Moe Davenport** – Well, we have an obligation to make sure they comply with the zoning regulations. We are not a public hearing examiner. We don't accept anything before this committee that is not permitted by right. There are however, specific regulations that they must adhere to and it is our obligation to make sure they adhere to them. Because it is a transitional zone we do have some opportunities with regard to lighting, hours of operation, architecture and so forth so that it is a true transition and has as minimal impact on the community and is a transition between commercial uses and the residential uses.

**Ms. Marble** – Ok, because I had a problem with the school board they say they did look into it and then when I actually told her off and guess what she didn't know anything about it. So, I knew she never looked into it so I'm saying you guys should come where we live around 5 o'clock and look into it. Because, you know what the traffic is; horrible.

**Crowd** – Clapping

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**Ms. Marble** – You can't even get out onto 924. You can't even use... you know the middle lane it is called suicide lane.

**Crowd** – Laughter

**Mark Moore** – That is not funny.

**Ms. Marble** – Just go there and you guys look at it. Don't be like the school board lady who I know she didn't but I pointed it out to her. But I did, because guess what it doesn't work.

**Susan Tobin** - When I pull out of my driveway onto Emmorton Road every morning to make a left hand turn to go to 95. I am literally taking my life into my hands because there is one lane that is coming and then there is the middle lane that people start veering into far down the street.

**Crowd** – A half mile away.

**Crowd** – Noise

**Susan Tobin** – Then someone stops to let me pull out and then I have to stop there to make sure someone isn't zooming through. It's extremely dangerous.

**Moe Davenport** – Understood.

**Susan Tobin** - I also have one other issue while I'm talking. When I talk about night light pollution I'm not just talking about light coming into my yard or windows. I'm talking about the night sky which I love and I know that might sound trivial and sentimental but one of the reasons I've never moved into the city is because I love the night sky. You can actually still see stars in Harford County. You can see about 11 stars in Baltimore City and so I'm not just talking about light into the yard I'm talking about the light that is going to mushroom up above.

**Moe Davenport** – Understood.

**Susan Tobin** – And then, my next point is I don't think anyone ever answered about widening that corner at Wakely Terrace.

**Moe Davenport** – They are only obligated to widen their side of the road. So, they cannot go on your side of the road and work on it. They have to address the frontage of their property on the opposite side of the road from you Ms. Tobin.

**Matt Falk** – I'm going to be one of the houses that backs this property. One concern that I'd like to bring up is there are 3 or 4 school bus runs in there. I have a 10 year old and a 3 year old and both of them butt up to where that driveway is going to be and they have to cross the street.

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Now that it is going from a residential to a commercial what precautions are going to be taken for that?

**Moe Davenport** – The school board is a member of this committee. They are not here today. We could try to contact them. I don't know where they stop.

**Matt Falk** – They stop right at my house. Which is going to be right where the driveway is proposed.

**Moe Davenport** – Whether or not they need to make alternative stops I don't know. People are supposed to stop when a school bus stops.

**Matt Falk** – Supposed to... that is the key word there.

**Moe Davenport** – I can't comment for them. They do have a copy of this plan.

**Matt Falk** – One last thing is for waste water or runoff water there are ponds? Did I hear that correctly?

**Moe Davenport** – There are bio-retention facilities, which are dry ponds.

**Matt Falk** - They won't be stagnant? They won't harbor mosquitos? They won't do anything like that?

**Mike Rist** – They are designed to infiltrate the water into the ground. They will be planted and they will hold water right after a storm but then it will soak into the ground. What doesn't soak in will go into the storm drain or go where it goes today.

**Joe Heeke** – I know the architect addressed briefly but I really didn't hear a rational explanation why the entrance is going to be on Wakely Terrace and not on Emmorton Road? He has plenty of front footage to... I know the elevation is there... I know the cost is probably an additional \$50 to \$100 thousand dollars for the structure but they can put a retaining wall in there and put the entrance on Emmorton Road and that is what seems to be what I'm gathering from this is the prime concern.

**Crowd Noise**

**Joe Heeke** – It is up to your department to maintain... the transitional property is on Emmorton Road not Wakely Terrace. We want and demand that you protect our neighborhood.

**Dolcey Hill** – It's got an Emmorton address as well, not Wakely Terrace.

**Moe Davenport** – Understood

**Barb Moore** – 101 Wakely Terrace, so how do we move forward with the outcome of this entrance. When will we know?

**Moe Davenport** – State Highways is not here today. I gave their comments. Their objective is the main thoroughfare, the main road, the main stem and 924. Their objective is to reduce the conflicts on that road.

**Crowd** – Laughter and comments.

**Moe Davenport** – It is much safer to access this property via the secondary side road.

**Crowd** – Not according to us and our children.

**Crowd** – Noise

The high school teenagers walk to school.

Will that comment still be made when a child gets struck by a car? This is serious.  
They pull in my driveway already.

**Catherine Hooker** – 238 Wakely Terrace. I need to say something. We don't even have on that road two sided sidewalks. Children are going to be children. They walk on the side where there is not a sidewalk because you have to go across the street to the sidewalk. Then cross back over because both sides don't have sidewalks. This is a school zone okay. I've been here for over 40 years and you know what the roads have not been kept up for the safety of our children. This is about the school zone. This is about the children and you want to not keep this residential. The roads have not kept up with residential much less now adding business. The thing is I saw road rage, the middle road, we should be able to turn into that lane, not so. Because, people use that when it is supposed to be a turn lane, but there is no left hand turn, so there is no reason for them to be in there. They cross Wakely Terrace using the middle lane and they go into the school. Do you know why? Because, there is so much traffic. They want to hurry up and get their kids to school. So, I'm coming down to turn into Wakely Terrace, I've got a road rage person they want to get up there and they are in my face blowing the horn. Where am I supposed to go? I'm in the right lane they are in the wrong lane. Then the speed. You have a speed that says 40 mph the other side says 30 mph coming in. It's way down the street. But, the one for 40 mph is very close to the school zone. I've called up about it and have been told it's acceptable by the road. No it is not because, as soon as they see 40 mph they don't wait to pass the sign they start way back 40 mph. Now you have kids, 40 mph, where it should be 30, and you have kids walking. Then you have people that don't want to stop so they are going to swerve around if you are making a left hand turn, this kid jumps into the ditch because no one is going to stop. That child almost got killed. I would say that Wakely Terrace is the most dangerous street entering and going out on 924. Absolutely, no doubt about it, because it is so condensed with the school zone,



the residential, and then the trucks coming up there. It is very serious and that is the main... I don't care which way you go out of there. It is 924, but even at that it is not safe. It is going to interfere with the safety of our children. Not only our children on Wakely Terrace but, all school children. And, that needs to be looked at; I am very disappointed that the Harford County road commission is not here because that is a major issue.

**Mark Moore** – I want to reiterate what she just said. I was witness to an accident with my daughter because of that turn lane and right there at the intersection getting out of there in the morning is hazardous and in the evening... If there is already a problem why exacerbate it by adding more traffic on our street. If I heard correctly this does not qualify for a traffic study because of the number of cars that are going to be parked there. There is already a pre-existing problem why move forward until you address that issue.

**Joe Heeke** – Is it possible to reschedule this when the State Highway people are here? Because that is the main issue and we want it addressed by the people responsible for it.

**Moe Davenport** - It's not. You can contact and schedule a meeting with Mr. Zeller. I can give you his contact information.

**Joe Heeke** – Why can't it be rescheduled?

**Moe Davenport** - I have no statutory requirement to have them reschedule this meeting.

**Brian Hill** – 115 Wakely Terrace. It is interesting to listen to all the zones speak at the beginning of his meeting but what hasn't been addressed at all is the very purpose of zoning laws in the first place. The purpose of an RO designation is not transition to building. If that is the case why not just raise everything and put all commercial buildings. Architecturally yeah this is a cape cod look but you can make a casino a cape cod. This is a fully large scale commercial building, that's what it is. In a RO designated area. What's the purpose of 267-85? That is the residential RO. The purpose of these development standards is to ensure that the structures and uses developed are compatible and in harmony with the neighborhood residential communities. Is that harmonious? I mean seriously, just in this very inception this is ridiculous. Aside from all the traffic concerns, which are real. It seems like you guys are all for this, it's like yeah, we understand your concerns. But, I don't think you do. This is not RO compliant. Look at the businesses just south of that the Ultima Health and the CPA. Those are beautiful buildings and on the McPhail corner they just opened up a new one. I think it is a spa. That is a beautiful building. Who has a problem with that? Although, it may increase traffic. That is not. It defeats and defies the purpose of you own zoning.

**Moe Davenport** – They have an acre of residential office zoned property and they have certain statutory requirements that they have to conform with. It is our obligation to make sure that they conform with those.

**Brian Hill** – How about the purpose? How about the intent? Isn't that your obligation as well?

**Moe Davenport** – Right, and the design criteria specific to that zoning category that they must adhere to. It is our obligation to make sure that they do so.

**Brian Hill** – To do so, what?

**Moe Davenport** – That they comply with the zoning code.

**Brian Hill** – How about comply with the purpose? What's the point in having zoning laws, zoning standards, zoning purposes?

**Moe Davenport** – That they don't put Royal Farm there or something that looks like a conventional Royal Farm.

**Brian Hill** – Conventional Royal Farm

**Moe Davenport** – They could put a Royal Farm that looks like a colonial Williamsburg home.

**Brian Hill** – This is not harmonious, with the vary intent of the zoning laws.

**Moe Davenport** – I'm trying to describe to you what not harmonious would look like.

**Brian Hill** – Is that harmonious with our neighborhood?

**Moe Davenport** – We have not had an opportunity to look at it yet.

**Brian Hill** – You see the rendering.

**Crowd** – The traffic is not harmonious.

**Crowd Noise**

**Brian Hill** – This is a large scale project that probably is a bad idea from its inception from a zoning standpoint.

**Crowd Noise**

**Dolcey Hill** – Up to two hundred and fifty additional cars on Wakely Terrace. That is their estimate. 250 more cars to add to our existing nightmare.

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**Crowd** – It is not acceptable

We are all good neighbors, we help each other. Look at this. They are not going to be a good neighbor.

Would you buy a house if that was there already?

We all have kids, all of us.

**Dave Mueller** – I own the building 1015 S. Main. I'm the CPA right next door to this building. I'd like more of an explanation on the stormwater management system that is being proposed here because if it does go in that is a big piece of asphalt going behind that property. I'd like to hear a little more explanation.

**Moe Davenport** – I'd like to say to everyone that those plans and all of the plans submitted to us are available to you. And, I'll ask Mike Rist to talk a little bit about the stormwater design.

**Mike Rist** – Actually, there have been new regulations adopted over the years and this meets those new regulations. It used to just be a pond at the bottom side of this development but, this one if you look at the plan it's around what you call a micro-bio retention facilities. They are depressions in the ground, they are not real deep like you would see in a pond but they are landscaped and the intent is the water that runs off of this site will end up infiltrating into the ground at least that first flush of water where the pollutants are and with the larger storms the water will end up flowing where they naturally go. This one shows flow going out to 924 and then one going out the back where the alley is. It is meant to imitate what flows off of that site in its natural condition. If you want to see something like this if you go to the apartments that they are building on Tollgate Road, the new one's that aren't open yet. Actually, the road isn't open yet. But, if you go back in there you can see these going in and it give you a pretty good idea what they are going to look like. They were just installed.

**Moe Davenport** – And they have to be landscaped Mike?

**Mike Rist** – Right, they will be landscaped.

**Crowd**- When we leave here today as disgruntled as we are now, what is the appeal process?

**Moe Davenport** – If we extend approval for this you can take that approval to district/circuit court. Any decision by the planning Director can be taken to court in which you would have 20 days to do so. You can keep in touch with Ras or myself to find out where we are in the process.

**Ms. Marble** – Well, I'm worried that the entrance on Wakely Terrace but you know what everybody is not going to turn left to go on 924, they will go down to our main street and cross. Basically, it's Wakely Terrace the whole entire... Wakely Terrace is going to be affected. They will say let's turn left and go on 924 but some people are going to turn right and they are going to go the back road where we live and the kids are playing. Like I said we have a deaf kid on this street.

We don't even have a sign there that he lives there. That is what we are worried about. If this address is supposed to be Emmorton Road they should cut in and out from Emmorton Road.

**Dolcey Hill** – There is already an existing entrance into the property from Emmorton Road and the lady who lived there before going into the nursing home would use the entrance on Emmorton Road. It makes no sense to have a commercial property or residential commercial property going out onto Wakely Terrace. Not with 250.

**Mark Moore** - Come to our neighborhood in the morning and see how it is to get out. People are not going to wait for an entrance onto 924. They are going to make a right and go thru the neighborhoods. Our neighborhood. And, use it as a cut thru which will affect us.

#### **Crowd Noise**

**Steve Smith** - Look at what this is going to do for potential customers of yours when they have to wait 20 minutes on 924 because they cannot pull into Wakely Terrace. Now you have potential clients that are going to be angry because they have to sit in their car for 10-15 minutes possibly 20 minutes because they could not get onto the road.

**Brian Young** – 217 Wakely Terrace. Obviously, the preference is to have it access 924. I just want to look at the plan and if it stays as it is. So, I know they have to do a little widening here and put curbside. But, are there sidewalks as well?

**Mike Rist** – We are asking for sidewalks.

**Brian Young** – That would help a lot. I mean, I walk my son to school or back from school a lot of the time and as it is now without anything else here I walk on your grass to try to stay off the road because, you never know. And, if you are walking on the sidewalk here and you go this way then you have to go up the grass here and cut over very quickly looking over our shoulder. So, a sidewalk would be a big help. And, if you widen 924 here you've got a large entrance into the parking lot. Which is actually wider than Wakely Terrace is there. So, if you are here looking to make a left hand turn out of this property and people are concerned about people turning right. You are going to see a little wider Wakely Terrace with a curb and a sidewalk this way and if you look to the right Wakely narrows right here. If we can accentuate that somebody sitting here is thinking man I don't want to wait in that traffic, you will see a wider more inviting Wakely this way and a narrower clearly residential, because you will be able to see these two houses while you are waiting there. And, I think that you can do some things with the curb cuts to make it sensible to make a left even with the traffic rather than going right. I'd like to see part of that in the plan. The other thing that I have a concern with this layout is logistically we've got the dumpster right at the entrance and I'm concerned about how that would be accessed. Because, if the trash truck comes in, first off they are going to need to pull in here and somehow turn around as far as I can imagine it to be able to get here. So, I think it will be a little difficult for a

truck that size to get in and turn around. Or, they are going to stop right here. Whenever a trash truck is there I don't think anybody will be able to turn in or out of this parking lot and you would have a que here of people waiting to go right especially because at least as what I see the truck typically comes down Wakely and that is hours when people will be trying to access the parking lot. So, I am worried about that location that you could have a truck taking some time getting in and getting out and blocking the entrance so you would have a que and it only takes one or two cars and you would not be able to get around it. Wakely is a little bit wider down here and I think you would at least be able to have cars that would want to continue to go straight. Right now, you would have to sit there and guess that no one is coming. So. if it is a little wider with a curb cut and some clear looks. Right now I often see Waste Industries when they come in they actually use this alley way to come in and turn around to access the other side of Wakely. If the doors of the dumpster were at least facing both directions it's possible that the truck could go there and leave this open. But, I see on the landscaping plan you've got trees planted there which I think that the gentleman that lives right next to it would like to see. I'd like to see some way for that dumpster to be more accessible and to make sure the trash truck could get in and out. I'm worried that that will add to the traffic while you have people queuing waiting for trash. But, if you widen Wakely a little on this side, add curb cuts and sidewalks, taper a curb this way and force that it looks narrower onto Wakely. I think that would discourage some people going that way. I'd still rather see it on 924. I think with that address it would be more functional. But, if it's going to stay there I think those are big design factors that I see.

**Moe Davenport** - Do you envision a dumpster or residential rollers?

**Lee Tessier** – We would probably just have small dumpsters. There are only going to be 20 people in the one office and depending on what other real estate related people end up renting from me on the other side. And that is part of the reason the size of the building is to offset. When you are building a building it is very expensive to begin with so if you build it a little bigger to offset costs. I'm not trying to be a miserable neighbor to all of you guys. I work in the community and it kills me hearing you guys. I have kids, I have grandkids...

**Crowd** – What are you going to do about it?

**Lee Tessier** – Well, I could sell it and someone else could buy it and they could put apartments...

**Crowd Noise**

**Lee Tessier** – Well, I could get frustrated and say forget it and not build it and then sell it. This property has been under contract plenty of times before that they looked at to build apartments or townhouses there. That would add a lot of traffic too. We are a smaller residential office. I have 20 people in my office total. We are not a Chick-fil-a where you are getting a ton of people thru. But, I still need room for people to get in and out and I need to rent out space.

**Crowd** – To sub-lease it.

**Lee Tessier** - Correct, it will be mainly real estate related people. I have somebody else I know who owns several Subways and its business its three people and they would rent 1500 square feet of the office too. So, again it's not high traffic. I understand everyone's concern about how many people are coming in and out. But, I've tried to design what would work for us building wise and stay in line with the community. I don't want to be public enemy #1. This lady when she first sat down said to me. Are you the enemy? I said to her that's not what I want here. I have 20 employees right now and I want to grow to 30. I need a conference room so I need room for settlements and some will take place there. Most of our hours are 9-5

**Crowd Noise**

**Lee Tessier** – I could chop the size of the building but then I would need to build up and that would look worse for the community. Imagine this but much higher.

**Crowd** - Do you think it is feasible to flip the parking to the front?

**Lee Tessier** - Stowrmwater management is where we run into a lot of issues from everything that I got from engineering and State Highways. If you go here you will run into more State issues.

**Crowd** - You can have access here and put your parking over here and...

**Lee Tessier** – It's because of the water runoff, because this is more uphill than that is...The way 924 runs either way...

**Crowd Noise**

**Lee Tessier** – If you build a Royal Farms or something ridiculous that is going to look horrible. Traffic is horrible believe me. Harford County no matter where you go on a Friday is terrible. And, believe me I've been in an out of there enough times and around the county. I'm not trying to make it worse. I understand about the kids and such but how do we make something that is feasible for everybody. I know I'm never going to please everyone. But I'm trying to please the masses. Paul is probably one of the best architects around and I hired him to help me make something that looks nice and fit in the community as best as possible.

**Joe Heeke** – So, why don't you address the issues the State would have by flipping the parking lot and put the entrance on 924?

**Crowd Noise**

**Crowd** – That would make you a good neighbor.

**Crowd Noise**

**David Taylor** – I would just say that that is a discussion for Harford County and State Highways.

**Crowd** – They are not here.

**Crowd Noise**

**David Taylor** – Can I speak? We are listening to you and I'm trying to say something. Your telling me how bad the traffic is on Emmorton Road. I live in here too, Lee lives here. We all see it. We all know the traffic here in Harford County is nothing like it was when we all were growing up. I grew up in Harford County. I went to Homestead-Wakefield Elementary School and Bel Air High School. 924 is terrible. We see it every day. And your right, people trying to get kids to school or get to work on time. They drive like maniacs. They are insane. Some drivers that I see are absolute nuts. It is very dangerous to other pedestrians and traffic. So we have a question? Which is safer? Come out onto the road that is absolutely craziness? Or, come out on side road? That is a safety question and a judgement call by State Highway and Harford County as to which one is the safest way to go. At this point in time we felt that this was the safest way to go. Understanding that not everyone is going to agree with that. But, then you think about the alternative and what is going on up here. Is that going to cause additional incidents on 924 because now you have two entrances? Usually, you want a separation between entrances. If they are to close then you have too much traffic movements going on in one area which creates a safety concern.

**Crowd** – But it is only 250...

**Crowd Noise**

**David Taylor** - There is an existing driveway entrance right here.

**Crowd Noise**

**David Taylor** – We are proposing to eliminate this entrance and put it off here because trying to enter onto an extremely heavily traveled roadway we felt was more dangerous than coming off a side road. Again, that is a discussion with Harford County Public Works and State Highways. And, that is also why State Highway tries to reduce the number of driveway entrances and intersections points on their highways because, they carry more traffic. The less conflicts that you have...

**Crowd Noise**

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**David Taylor** - So, it's a choice of which is better and which is worse. You have opinions. Harford County has opinions. Everybody has opinions.

**Crowd Noise**

**Brian Hill** - We have more than opinions and they are not here to talk to us.

**Crowd Noise**

**Brian Hill** – You actually pointed out part of a big problem because, you are trying to balance commercial right? But, you have to make the building large enough so you can sub lease and you say well if things get to frustrating I may have to sell the building.

**Lee Tessier** – So, say I don't build. Say I don't want to make everyone angry. But then what goes in next is what I am saying.

**Brian Hill** – BINGO. So what this provides is that camel's nose under the tent. I go back to zoning. This is simply not compliant with an RO community.

**Crowd Noise**

**Brian Hill** - The fact that we are talking about traffic congestion ought to be a red flag for all of you right out of the gate. As Brian mentioned a customer turning left sees the traffic congestion what do you do when you see that?

**Crowd** – Go the other way.

**Brian Hill** – Go the other way. And they are going to go right down through all the other neighborhoods. Speeding as they already do. Trying to get home themselves like we all try to do. Why would anybody want to pull out into a traffic jam knowing that you can't get out of this parking lot because the traffic is already backed up from all these so called 250 people.

**Crowd Noise**

**Moe Davenport** – It is based on the square footage of the office building and the use.

**Crowd Noise**

**Crowd** - This whole thing is a red flag.

**Crowd** - Come out at 9:30.



**Mark Moore** – You are a businessman and you are reasonable and we want to be reasonable. But, this affects our lives and there is a real safety issue with this. Aesthetics are one thing. Lights and the dumpster and you didn't ever address the construction and the noise. I work shift work but I'm just one guy. I'm worried about the safety, the traffic, it's terrible. But we are reasonable people. I've been a bit vocal but we are a reasonable neighborhood. This doesn't look like a one story building to us. We are not architects. I know the number you mentioned is the total number of parking spaces that doesn't mean you won't have 200 and some vehicles moving back and forth all the time. It's the traffic flow. Just come see what it is like getting out in the morning or the afternoon and you will see that this will make it worse.

**Moe Davenport** – Mark, I'm very much aware of that fact.

**Mark Moore** – Thank you.

**Jeannette Stancill** – I just need to say something. I do believe that Lee Tessier wants to build a nice product. I may not like how big it is. Fair enough. But, if you have this type of building and you don't have dormers on it it's going to look like Salvo Auto Parts or Goodwill. It is absolutely in my opinion and other people that I have talked to you need to have it look like that. I would be very careful saying we don't want you or whatever it is. I mean I don't like how large it is in my backyard but I know this is not the final way it is going to be.

**Lee Tessier** – I mean this is not the final. But we are getting close. It is expensive to build right now. And, that is the main reason I need to do the additional square footage to be able to rent to other real estate type businesses.

**Jeannette Stancill** – Mortgage, title, whatever.

**Lee Tessier** – One other one that is a friend of mine that owns a bunch of Subways he has his office space, not Subway stuff, just office space for 3 employees and he has a conference room in there where he has meetings periodically. Not a high traffic. That is my point I don't want a lot of wear and tear.

**Jeannette Stancill** – We also have some other issues that we would like to address.

#### **Crowd Noise**

**David Stancill** – Your property is right here and we have a gate right here. For 30 years plus we have been able to pull in down here and actually use the existing driveway to back trailers in or a motor home into our driveway. The way it sits now and I tried it yesterday with a small trailer. It is impossible because I have to back a trailer all the way from Wakely. I can no longer come in here and do this as the old property owner let us to. To back all the way in and cock a trailer into that parking area we've had for 30 plus years. We previously had a motor home parked here and

we are planning on having one in the future. And, this set up the way it is now will prevent it. I can't make the turn. It's impossible.

**David Taylor** – As you said, what you have been doing you have been using this property to access your property.

**David Stancill** – Right

**David Taylor** – This property owner did not have to let you do that. Obviously, she was a very nice neighbor. She allowed you to do it. With this development that would not allow you to use the driveway because we are building on it.

**David Stancill** - What can you do to make this property usable not only for me but for all my neighbors.

**David Taylor** – That is what I'm going to get to. This alley was also used by this property. Because of this use this property owner that actually has the alley is no longer allowed to use it or tie into it or make use of it in any way shape or form. Because this was put in for residential use. You have frontage on this alley and you can make whatever improvements you want to as far as turning radii to turn into your property, that you so choose.

**David Stancill** – In the past we have planted; years ago a row of Leland cypress trees to block us from 924. All of that has come out. That was all of our screening from the new development. All of it. Its gone.

**David Taylor** – You may have to move them back but there is no reason you could not make improvements here so that you could drive down the alley and make a turn into your property. And maybe you replant...

**David Stancill** – How about some flexibility on your part here?

**David Taylor** – We do have screening here, landscape screening which actually isn't there now.

**David Stancill** – What's the elevation difference between the parking lot?

**David Taylor** – A couple of feet.

**David Stancill** – Lower or higher?

**David Taylor** – Here is our landscape plan and as you can see we have screening between the parking lot and the parking lot is higher.

**Crowd Noise**

**David Stancill** – Is there going to be a curb line around there?

**David Taylor** – We are going to cut that driveway off so we are going to put a curb along that.

**David Stancill** – The curb precludes making any kind of a turn.

**David Taylor** – Well there is a slope here too. You are not going to ride up on the slope.

**David Stancill** – Well with the elevation now that is not a problem.

**David Taylor** - Because the driveway is cut into it.

**David Stancill** - I'm familiar with the slope you are talking about. We don't go near it.

**David Taylor** – What I'm saying is that this is needed for screening. We will talk to Moe about the lights. And this screening in effect replaces what you have but I would suggest you make whatever improvements you need on your property...

**David Stancill** – Is the screening 35 feet tall?

**David Taylor** – Originally it will be 6 feet tall.

**David Stancill** – Well my screening that we bought, paid for and planted was 35 feet tall.

**David Taylor** - Well these will be planted at 6 feet tall and they will grow but they start at 6 feet. Again, you can work with Harford County to make whatever improvements you need on your property to make use of this alley which this property is no longer allowed to use. You now actually have exclusive use all of the residents here have exclusive use of this alley. The point is you can do what you need to do to get your RV into your lot off of this alley.

**David Stancill** - You realize that this basically destroys the value of our property. Our entire back yard will disappear. Gone. I doubt if the County is going to improve that. If you would just give us a little flexibility along this line here. Perhaps you can set this up so it's only a left turn.

**Jeannette Stancill** – We are just asking for maybe five more feet if you can move the shrubs up a little bit. Something to make it a little easier.

**Moe Davenport** – He has certain setbacks requirements and width requirements on a standard parking lot and parking spaces and drive aisles.

**Crowd Noise**

**Moe Davenport** – I honestly don't know who has access to that alley but the applicant is not using it.

**Crowd Noise**

**Susan Tobin** – The County left that strip of land for public access in case they wanted to do something with that road. Someone, decades and decades ago built a garage or shed there. I don't know how they got a variance for that.

**Crowd Noise**

**Rebecca Betzko** – I'm a real estate agent. I'm not here in cahoots with Lee but I understand what he is trying to go for. The type of clients that he wants are not going to be people in and out of the building 250 at a time. I get that. I've spoken with some of the neighbors that use that alley way and in talking to them they say you know I'm getting up in age and I may want to sell in 10 years. What type of impact is this building going to have on our property values? I think for the most part what he wants to do, as long as it looks pretty, it's a heck of a lot better than a some old ugly box sitting there. On something like the alley way a couple of these guys bought these properties because of that access. So if maybe that 5 foot buffer, you have a buffer, so maybe you could do the landscaping in a little more towards your property and leave the buffer there.

**David Taylor** – We have a setback.

**Rebecca Betzko** – Are you working within your limitations within the parking lot?

**David Taylor** – I would need to start where the building starts now which is 25 feet.

**Rebecca Betzko** – If you could change that it would make all the difference in the world.

**Crowd Noise**

**Rebecca Betzko** – I'm just talking about trying to make everyone happy that's back there.

**David Stancill** – Do you have some flexibility to accommodate us?

**Moe Davenport** – Well you would lose your landscaping. Those are your options. The parking area has to be what it is.

**Crowd** - You won't allow him to move it 5 feet.

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**Moe Davenport** – No, we are at the minimum right now.

**Crowd** – Why not? Does it have to have a curb?

**Moe Davenport** – That is up to the grades that they are dealing with.

**Crowd** – Is the curb required?

**Moe Davenport** – I don't know whether the stormwater management right required a curb to capture the stormwater. Sometimes it is open curb, sometimes it is not depending on the engineering.

**Crowd** – Is there flexibility on the curb from your point of view?

**Moe Davenport** – The curb is not a technical requirement from our department.

**Crowd** – But one of the departments here?

**Moe Davenport** – It's a requirement of the drainage at the site with capturing water.

**Crowd** - If there is no curb that water will all go into your backyard.

**Ms. Marble** – If you guys leave the parking lot as it is in the back can you put some speed bumps on our street to slow the people down?

**Moe Davenport** – Well, we have a speed bump program which I'm sure you are aware of.

**Ms. Marble** – Well every time you put the speed bump the line thing everybody slows down. They see the wire thing; then they don't speed. You understand what I'm saying.

**Dolcey Hill** – It's the frequency of traffic

**Moe Davenport** – You can also petition the County to come do an analysis.

**Ms. Marble** – Well, that's what I'm saying. Everytime they put it down everybody wants to know what the wire is down for so they stop and don't speed over it. They don't drive like naturally.

**Dolcey Hill** – They calculate the amount of traffic.

**Ms. Marble** – Well, ok then we should get some speed bumps.

**Moe Davenport** – You can ask the program again to analyze it to see if you qualify.

**Karen Butler** – This is really difficult because I know this man wants to do his business. This is our life. This is our children's life. This is the school zone's life and we do have to function to get where we need to go. There is a serious disconnect in this County and not good planning. The planning is not good on your side because we are faced with this issue because your not keeping up with the roads to keep up with the growth. That's your issue and we are suffering this because you're not really zoning and planning properly for the amount of traffic that you are making us have to deal with. It is at our costs, we are residents here. We are citizens here and yet we are not being represented. We are not because when you say opinion, well this is an opinion of the road commission. Oh, it's more dangerous they are not considering the children. They are not considering them waiting for the bus. They are not considering having to get out there. Children walking. We have people that walk to school. Our schools are close. This is not considering any of it. #1, that sign 40 mph. That needs to be moved down, 40 mph across from 30 mph. Now I know they are not here but you all need to work together for the safety of our children. If one child gets killed because of this then it is on you. We are all here and expressing that it is not just an opinion or a desire. We are talking about safety. We are talking about serious things that need to be done on your part to make our roads and our community flow in a peaceable manner. I know I have lived here when it was peaceable. We know there will be some growth...

#### **Crowd Noise**

**Matt Falk** - I appreciate you listening to everyone. With the dumpster that is right there, it is directly behind me. My next question for that would be is I know it is going to be hidden and you are going to do the best that you can. How well hidden and how well secure will that be from the main road? You know, anyone that drives by will say man I really don't feel like paying \$7 or \$20 or whatever it is to take this to the dump. This is right here and it is right off the main road. You can throw anything out the bed of a truck. Now you have an eye sore in the neighborhood. Are you going to be able to secure that in any way?

**Paul Thompson** – If I may interject. As far as I am aware dumpsters are not a requirement in the RO zone. We have to sufficiently get rid of our refuse. So there can be an arrangement with the local trash provider whereby we use the larger residential style cans and we may have more of them to handle ...

#### **Crowd Noise**

**Dolcey Hill** – I'm not trying to correct the traffic on Emmorton. I don't think anyone is. We just don't want the problem to go into Wakely Terrace. If the existing driveway that goes out on Emmorton went down the side of the building there where they have all that green lawn to the parking lot there would be no impact. The problem of Emmorton would not go up Wakely

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Terrace. Just have the driveway, the entrance from Emmorton just go along the side into the parking lot in the back, which is just paved on the side. Do you understand where I'm going?

**Moe Davenport** – I believe I do but geometrics would not permit that through the State Highway Administration.

**Dolcey Hill** – Well, this here. It's right here. If you have the entrance coming here where the existing driveway is and going to the paved area back here. It's a solution just to keep these people off Wakely Terrace.

**Karen Butler** – 209 Wakely Terrace. I agree with Dolcey and that is my biggest issue. There is already a driveway off 924 and that could be easily used to access that parking lot. I think they need to re-look at the plan and see if they can shift things just slightly for that access. I have a son who is hearing impaired. I am very concerned about the traffic. I also work for an attorney who has a title company. I know what the traffic flow is and we are constantly fighting for parking at the end of the month. The traffic flow for the settlements coming in and out is ridiculous. This will impact us greatly.

**Steve Smith** – 1001 Wakely Circle. I have a couple of questions. What recourse do we have after this meeting of any decisions?

**Moe Davenport** – Assuming we extend approval for a model plan here. That plan is appealable to circuit court if you wish to appeal that decision.

**Steve Smith** – So there will be no additional hearings for our input unless we go to circuit court?

**Moe Davenport** – No, there will be no additional hearings after this meeting here today. Actually, this is a Development Advisory Committee open to the public.

**Steve Smith** – I also have a couple of questions regarding this traffic. What type of tenants are going to be in this building?

**Lee Tessier** – I will mainly have more than 2/3 of the building and will rent out about 3,000 square feet approximately. I have the Subway guy who has restaurants and it just going to be him and I think 3 employees. Then whoever he has in addition when he has meetings and the other one is possibly going to be mortgage, we haven't nailed down the other one. It will probably be mortgage or title.

**Steve Smith** – So, no high traffic like medical offices or anything like that?

**Lee Tessier** – No

**Steve Smith** – The other thing that I have a question about. When you are talking about safety coming out onto Emmorton Road; all I hear about the safety is the person going into this office building right here. I don't hear any talk about the safety of anyone else who lives back in this development. It is the same problem here as is here. You are making a right or left hand turn. All you are doing is taking that traffic out of here and putting it on this street whereas it is the same problem exists if you put it here. So, I don't see where coming out here is alleviating that problem, all it is doing is making more traffic coming in and out. My own opinion, I'm not an expert. It's the first time I've ever been to one of these. But it seems the whole problem with this is cost. The whole problem with the entrance on Emmorton Road is costs. I don't see where it is messing up with any of the storm drain here because that can go underneath. I just don't understand why the entrance can't be Emmorton Road instead of this street right here. I live not here but on the other side of the circle right here. There is a ton of traffic coming in here and I don't know if it is because they missed the connection on McPhail. They come down Wakely Circle and they make a U-turn and come back out. That is going to happen more times than not when they miss this entrance; they don't know where it is at and the same thing is going to happen. Not only the 249 daily traffic but another 25% of them coming around that circle and going back out. What I really don't like is that we don't have another input after this unless we go to court. I don't understand that part.

**Moe Davenport** – This is our only plan. If there are any additional questions I'm here.

**Crowd** – Will the highways be listening to this recording?

**Moe Davenport** – I have meetings regularly with the State Highway Administration.

**Crowd** - What is the hard date that you have to approve this?

**Moe Davenport** - I have no deadline.

**Crowd** – How will we know?

**Moe Davenport** – You can contact myself or Ras Cannady here.

**Crowd** – While construction is going on and when the construction workers are on site where will the construction equipment be stored? Will it be an eye sore?

**Crowd Noise**

**Paul Thompson** – On most of our projects like this what we would do is build the base for the parking first so we have a durable surface then we would do the surrounding construction. We would then be able to have all of our sub contractors on a durable surface. They would not have to spill out here in the neighborhood. The backhoe's and such could stage from that surface.



**Ms. Marble** – Like you said, you say that you will have parking space in the front right?

**Crowd Noise**

**Ms. Marble** – In the back. Can you leave the parking space but can you make it a little circular to go back out. Do you know what I'm saying? Close this up where we live on this street and can you make.

**Crowd** – One way in and one way out.

**Ms. Marble** – You can park in the back, just don't let them come out on Wakely Terrace. Just go out the other way.

**Paul Thompson** – Modern standards right now want the parking to screen the building. Most communities don't want to see the parking.

**Crowd Noise**

**Moe Davenport** – Your concerns are clear to us, the architect and the owner. We will be in consultation with them in regards to the design before we move forward.

**Jeannette Stancill** – I have one other question. When this possibly is approved does that mean the landscaping also does the landscaping plan get approved separately and the lighting approved separately?

**Moe Davenport** – Yes. It would be a site plan approval letter. We approve a forest conservation plan which we have already approved. Landscape and lighting plan and a site plan. This is lots 19-29, there are 10 residential lots there, on the record in the Lands of Homeland. That will have to be consolidated into one lot. The record plats for this and we didn't make those comments, I'm sorry about that. But one of your comments is that the record plats for Lands of Homeland 19-29 will have to be re-recorded and consolidated into one large lot so there are not 10 lot lines.

**Jeannette Stancill** - Possibly with working with Lee, we are right behind him. Aside from that we and probably along with Matt the most impacted by this. Would you agree?

**Moe Davenport** – Sure

**Jeannette Stancill** – Dave and I would at least like to have and review with you a copy of the final approval on the landscaping plan. I checked the lighting and it is better than I thought originally if that last plan that I submitted...

**Lee Tessier** – When we talked to engineering we knew that...I know what it would be like if I lived behind the building so I look at that standpoint too and not try to make it worse.

**Jeannette Stancill** – And just to give you an idea.

**Lee Tessier** – Mainly for safety for us for my agents so that at 7:00 pm when they leave especially this time of year when it gets dark early.

**Jeannette Stancill** – Is there lighting on the building?

**Paul Thompson** – It is still in early development.

**Jeannette Stancill** – Ok that is something that we would like to have a little input. Because your lights right now, because the Leland cypress have been dwarfed by this one tree that is in the alley. I can actually see the lights now. I get that is going to happen. I acknowledge that. I'm just trying to limit it. Your four little lights right now or three.

**David Stancill** - Your lights right now are they just keeping that walkway lit?

**Crowd Noise**

**Moe Davenport** – I'm going to adjourn the meeting. If there are any additional questions for us we will stick around and we can have these discussions off the record. Thank you.

**Meeting adjourned at 10:30 am**